



Patent Docket # 81971

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	Group Art Unit: 1634
James C. Marsters, Jr. et al. (AS AMENDED)	Examiner: Arun K. Chakrabarti
Serial No.: 09/823,648	EXPRESS MAIL LABEL NO.: <u>EL 809 447 631 US</u>
Filed: 30 March 2001	DATE OF DEPOSIT: <u>February 12, 2003</u>
For: COMPOSITIONS AND METHODS FOR DETECTING AND QUANTIFYING GENE EXPRESSION	

**AMENDMENT AFTER FINAL UNDER 37 C.F.R. § 1.116**

BOX AF  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This document is responsive to the Final Office Action mailed August 13, 2002 (Paper No. 17) for which a 3 month period for response was given. This response is timely filed with a Petition and fees for a Three Month Extension of Time making this Response due on or before February 13, 2003. The rejected claims are presented for consideration on appeal, should an appeal become necessary. In view of the discussion provided, reconsideration and allowance are respectfully requested.

In the Specification:

Please replace the paragraph beginning at page 15, line 5, with the following rewritten paragraph:

As used herein, the phrase "pre-disease state" refers to an abnormal state of a cell or a tissue, where the abnormal state in a living animal or plant may not be detectable. The pre-disease state in the animal does, however, predispose the animal to eventual development of a disease state. Non-limiting examples of a pre-disease state include abnormal levels of genetic material, such as gene copy numbers, abnormal sequences of genetic material, such as disease-